

STATE of TEXAS

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COUNTY OF HARRIS

**DECLARATION OF MICHAEL WINN,  
DIRECTOR, ELECTIONS ADMINISTRATION  
HARRIS COUNTY CLERK'S OFFICE**

My name is Michael Winn. My date of birth is \_\_\_\_\_ and my address is 1001 Preston, Houston, Harris County, Texas, 77002. I declare under penalty of perjury that the foregoing is true and correct:

1. I am submitting this declaration and its attachments to explain certain facts regarding polling locations on one hand and methods of accessing voting for of those with certain disabilities on the other.

2. I have worked in elections administration for more than twenty-five years. I began my elections career in Bexar County in 1997. Then I moved to Travis County where I started as an election specialist and became the Assistant Elections Administrator in 2008. In 2010, I was promoted to Elections Administrator where I served until 2018. In 2018, I moved to Harris County to take to job as the Administrator of Elections. As a result, I have served in various levels of elections administration in the three largest counties in Texas assisting more than 27% of the Texas population to vote.

3. I hold a certificate as a Certified Election Administrator from the International Association of Government Officials and am very active in my profession serving in multiple elections administration organizations. I served as the President of the International Association of Clerks, Records, Election Officials and Treasurers (“IACREOT”) in 2015. I currently serve on the Board of Advisors to the Federal Elections Assistance Commission and have served in the following positions since my initial appointment in 2015: Secretary, Vice-President, and Board Chair.

4. I am also a member of the National Association of Elections Administrators (a.k.a. the Elections Center, <https://www.electioncenter.org>) where I also achieved certified election administrator status.

5. I serve on the bipartisan coalition committee of national elections administrators. We meet regularly to discuss challenges facing elections administration. I have been appointed on the International Association of Government Officials (“IAGO”) on the Government Coordinating Council of governments of federal, state, and local task force on election matters. I also serve as a representative on the Council of State Governments where we look at initiatives of overseas voting by mail.

6. With my experience and training, I am very familiar with Texas election law and practices.

7. Attached to this Declaration are true and correct copies of the most recent Daily Early Voting record reflecting unofficial counts through October 29, 2020.

8. On Election Day Harris County will have approximately 800 polling locations. The physical layout and facilities in each will vary widely although every single location will offer curbside voting as Texas law requires. *See* TEX. ELEC. CODE § 64.009. In addition to the statutory requirements for curbside voting, Harris County is under a settlement agreement with the United States Department of Justice in part due to its past failures to adequately accommodate people with disabilities and comply with the Americans with Disabilities Act (“ADA”). *See* [https://www.ada.gov/harris\\_co\\_sa.html](https://www.ada.gov/harris_co_sa.html). This includes providing “effective curbside voting” and signage outside each polling location.

9. No application is required for curbside voting. The voter merely rings a buzzer and an election worker comes to the voter’s car outside the polling location with a special ADA-compliant voting machine. Voters are not questioned about their health status or the nature of their disability.

10. Drive-thru voting is a different physical layout of an in-person polling location, not a special accommodation for people with disabilities who cannot physically enter the polling places, where all election laws, including the accommodation of poll watchers, are in force. Videos available online describe the process and show the outside of the drive-thru voting location at NRG Arena. *See*

<https://twitter.com/TXLA/status/1316378479890489346> (Curbside Larry demonstrates the process); <https://twitter.com/Tejasimo/status/1321994048710782976> (video of overall polling location).

11. Chapter 104 has nothing to do with the role of an early voting clerk, drive-thru voting, or curbside voting under Section 64.009, but instead allows a voter whose precinct polling place uses a voting machine and who has a sickness or physical condition that prevents the voter from using that machine to vote at the *main* early voting polling place on Election Day using a mail in ballot. For this election the main early voting location is the NRG Arena. Modern voting systems and accessibility laws like the ADA, better physical facilities for voting, and the universal requirement for curbside voting make Chapter 104 largely obsolete and rarely used. In the course of my decades-long career administering elections I cannot recall an instance of this chapter being used.

12. Tent structures similar to those used for nine of the drive-thru voting are being used at walk-in voting centers to increase capacity. For example, to alleviate lines at the Barbara Bush Library (“HCPL Barbara Bush Branch” on the EV Daily Record), the County Clerk’s Office constructed tents so that additional voting machines can be placed outside the permanent building. This change is part of our efforts to address overcrowding and long lines at voting centers whenever possible so that voters are not discouraged from voting. Since that change, that very

popular polling location is partially inside and partially outside the permanent building.

Executed in Harris County, State of Texas, on the 30th day of October, 2020.

A handwritten signature in black ink, appearing to read 'Michael Winn', written over a horizontal line.

Michael Winn  
Declarant